

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**UNITED STATES OF AMERICA,  
Plaintiff**

**V.**

**0.29645317 BITCOIN; \$6857.00 IN  
UNITED STATES CURRENCY;  
0.1385109 BITCOIN; AND 290.60903  
KYBER NETWORK COINS.**

**Defendant Property**

**CIVIL ACTION NO.  
3:22-CV-00149-TCB**

**And**

**JEREMY HAMILTON,  
Claimant**

**CLAIMANT JEREMY HAMILTON'S ANSWER TO PLAINTIFF'S  
COMPLAINT FOR FORFEITURE AS TO 0.29645317 BITCOIN; \$6857.00  
IN UNITED STATES CURRENCY; 0.1385109 BITCOIN; AND 290.60903  
KYBER NETWORK COINS, ONLY**

COMES NOW the Defendant Property and Claimant JEREMY  
HAMILTON, and, pursuant to Rule G of the Supplemental Rules for Certain  
Admiralty and Maritime Claims and Rule 12(a) and (b)(6) of the Federal Rules of  
Civil Procedure, hereby answer's Plaintiff's Amended Complaint for Forfeiture  
and shows as follows:

**FIRST DEFENSE**

Plaintiff's Complaint fails to state a claim upon which relief may be granted.

**SECOND DEFENSE**

The Court lacks jurisdiction over the subject matter of this Complaint.

**THIRD DEFENSE**

The Complaint on its face fails to state probable cause for the Defendant properties' seizure as required by 18 USC §981.

**FOURTH DEFENSE**

The Complaint on its face fails to state probable cause for the Defendant properties seizure as required by 21 USC §881.

**FIFTH DEFENSE**

The seizure of the Defendant's Property was based upon an unlawful search and seizure by state and/or federal authorities in violation of the Fourth Amendment to the United States Constitution.

**SIXTH DEFENSE**

The property was seized in violation of the provisions of the Eighth Amendment.

**SEVENTH DEFENSE**

By way of specific answer to the allegations contained in Plaintiff's Complaint, Defendant Property and Owner/Claimant show as follows:

1. Claimant admits that the property was seized; but, for want of sufficient

information upon which to base an answer, the Claimant can neither admit nor deny any other allegations contained in paragraphs 1 and 3-5 of the Complaint.

2. Paragraphs 6-8 is a statement of the jurisdictional basis and venue for Plaintiff's Complaint, not an allegation of fact for which an answer is required, but if an answer is required paragraphs 6-8 of the Complaint are denied.
3. The Claimant denies the allegations in paragraphs 2, 9-10, 24-26 and demands strict proof thereof.
4. The statements relied upon by the Government in paragraphs 16-21 weren't knowingly or voluntarily made by Claimant and were elicited in violation of his rights under the 5<sup>th</sup> and 6<sup>th</sup> Amendments to the United States Constitution.
5. Claimant is without sufficient information or knowledge to either admit or deny the allegations contained in paragraph 12-15, 22-23, 27-28, 30-32, 35, 39-41 of the Complaint.
6. Claimant admits the allegations contained in paragraphs 11, 14, 29, 33, 36-38, of the complaint.
7. Claimant admits that the online wallets containing cryptocurrency were seized as described in paragraph 34, and 42-43 but is without sufficient

information upon which to answer the rest of this paragraph of the complaint.

WHEREFORE, the Claimant prays that:

- (a) Plaintiff takes nothing by its Complaint;
- (b) The Defendant property is returned to Claimant forthwith;
- (c) These issues are tried by a jury;
- (d) The Court award Claimant reasonable costs and attorney's fees; and
- (e) For such other and further relief as is just and equitable.

This 3 day of January, 2023.

Respectfully submitted,

/s/ Bruce S. Harvey  
LAW OFFICE OF BRUCE S. HARVEY  
ATTORNEYS FOR CLAIMANT  
Bruce S. Harvey, #335175  
[bruce@bharveylawfirm.com](mailto:bruce@bharveylawfirm.com)  
Jamie Roberts, #608590  
[jamie@bharveylawfirm.com](mailto:jamie@bharveylawfirm.com)

Bruce S. Harvey, #335175  
146 Nassau Street  
Atlanta, Georgia 30303  
(404) 659-4628

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the within and foregoing pleading upon opposing counsel by e-filing, facsimile transmission, hand delivery or by depositing a copy of same in the United States Mail with sufficient postage attached thereon, addressed as follows:

Cynthia B. Smith, AUSA  
600 Richard Russell Building  
75 Spring Street, SW  
Atlanta, Georgia 30303

This 3 day of January, 2023.

/s/ Bruce S. Harvey  
LAW OFFICE OF BRUCE S. HARVEY  
ATTORNEYS FOR CLAIMANT  
Bruce S. Harvey, #335175  
[bruce@bharveylawfirm.com](mailto:bruce@bharveylawfirm.com)  
Jamie Roberts, #608590  
[jamie@bharveylawfirm.com](mailto:jamie@bharveylawfirm.com)

Bruce S. Harvey, #335175  
146 Nassau Street  
Atlanta, Georgia 30303  
(404) 659-4628



**VERIFICATION**

I, Jeremy Hamilton, have read the foregoing and pursuant to 28 USC §1746,  
declare under penalty of perjury that it is true and correct.

Executed on: 01/03/23

  
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Jeremy Hamilton